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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ELLEN VIOLA,

Plaintiff,

v.

SUN LIFE ASSURANCE COMPANY
OF CANADA,

Defendant.

Civil Action No.: 2:16-cv-01322-JAD-CWH

**ORDER GRANTING
STIPULATION AND JOINT MOTION
FOR EXTENSION OF STAY PENDING
REMAND FOR FURTHER CLAIM
REVIEW AND CONTINUANCE OF
STATUS CONFERENCE**

(Third Request)

ECF No. 16

Come now the parties and, after conference of counsel, jointly request that the Court further extend the stay of this matter pending a remand to Defendant for further review of Plaintiff's claim for ERISA long-term disability benefits and to continue the status conference currently scheduled for March 6, 2017, to a date in early May 2017. In support hereof, the parties show the Court as follows:

1 1. This is a suit for long-term disability benefits under an ERISA-governed
2 employee benefit plan pursuant to 29 U.S.C. §1132(a)(1)(B). The parties have exchanged
3 initial disclosures and have complied with all deadlines to date.

4 2. On November 29, 2016, the parties filed their Stipulation and Joint Motion for
5 Stay Pending Remand for Further Claim Review to allow an additional level of review of
6 Plaintiff's claim to take into account updated information. The Court granted the motion and
7 scheduled this matter for a status conference on March 6, 2017.

8 3. Since the Court granted the parties' motion, Plaintiff submitted her claim for
9 an additional level of review, and Defendant has been in the process of collecting additional
10 information as part of the claim review. Defendant informed Plaintiff of the need for an
11 independent medical examination but, due to scheduling conflicts, the examination will not
12 take place until March 24, 2017. Once Defendant receives the examination report, it
13 anticipates that it will issue a decision by mid-April 2017. To accommodate any
14 unanticipated delays, the parties request that the Court continue the status conference to early
15 May 2017.

16 4. Once the claim review is completed, if there is still a dispute between the
17 parties, the parties will propose new briefing deadlines. If there is no further dispute between
18 the parties, once the claim review is completed, then the parties will submit a joint request for
19 dismissal of this action.

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